

FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
STATE FIRE MARSHAL (SFM)
REGARDING THE CALIFORNIA FIRE CODE (CFC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a final statement of reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

SFM is updating the initial statement of reasons as follows to correlate with the regulations currently proposed for adoption.

Section 101

Amendments to this section will correlate to those of the CBC, Chapter 1.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic.

Sections 1003.2.4.4.3.

SB 575 required that new public schools be provided with an approved automatic fire sprinkler system and still be entitled to the fire-resistive construction trade-offs as permitted in the California Building Code. However, all schools that are provided with an approved fire sprinkler system are allowed such fire-resistive construction trade-offs. The Division of the State Architect (DSA) requested that this amendment be made to add clarity to the regulations. .

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic.

Sections 1003.2.7.2 and 1003.2.7.3:

For years, the Office of the State Fire Marshal (OSFM) and Office of Statewide Health Planning and Development (OSHPD) have implemented an OSFM Operational Bulletin for the storage and use of combustible materials and furniture in nurses' stations open to exit corridors. In coordination with and at the request of OSHPD, these amendments were developed and will require a minimum of one smoke detector in nurses' stations. For nurses' stations in existing facilities, where automatic sprinkler systems are installed they may be supplied by the domestic water supply. In conjunction with proposed amendments to the California Building Code and Title 19 California Code of Regulations, additional safety measures will be required to provide for early detection and warning of a fire incident and allow for sprinkler protection in nurses' stations in existing facilities, thereby protecting the egress system exposed to additional combustible loading necessary for nursing operations located in the nurses' stations.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic.

Sections 9101.2 and 9101.1.3

The National Fire Protection Association (NFPA) has updated many of the standards. The current building code references outdated NFPA standards. This proposed amendment will bring current the California Fire Code with current referenced standards and coordinate those references with those proposed in the California Building Code. In coordination with the adoption of OSFM Standards in the Title 24, Part 12, these standards are listed in this section. Additionally, the OSFM Fire and Life Safety Building Standards Advisory Board recommended adoption of the 2002 NFPA 52 and 2002 NFPA 57.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic.

Section 1006.2.12.5

The amendment s to this section are editorial and clarify that when special egress control devices are used there must be an automatic smoke detection system in place.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic.

Section 1006.2.9.1

The amendments to this section are intended to coordinate the use of terms for fire alarm components used in NFPA 72, National Fire Alarm Code, with this provision in the Fire Code.

The action described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

SFM did not receive any objections or recommendations regarding the proposed regulations.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

SFM has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

No alternatives were proposed. SFM has determined that the proposed regulations will have not adverse economic impact on small businesses.

COMMENTS MADE BY THE OFFICE OF SMALL BUSINESS ADVOCATE

SFM received no comments from this office.

COMMENTS MADE BY THE TRADE AND COMMERCE AGENCY

SFM received no comments from this office.